

## Article - Estates and Trusts

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§17–109.

(a) Except as provided in subsection (b) of this section, this title applies to all powers of attorney.

(b) Except as provided in § 17–105 of this subtitle, this title does not apply to:

(1) A power that is coupled with an interest in the subject of the power, is given as security, or is given for consideration, regardless of whether the power is held for the benefit of the agent or another person, including a power given to or for the benefit of a creditor in connection with a credit transaction;

(2) An advance directive appointing a health care agent under Title 5, Subtitle 6 of the Health – General Article or any other power to make health care decisions;

(3) A proxy or other delegation to exercise any right with respect to an entity, including voting rights or management rights or both, or a delegation of authority to execute, become a party to, or amend a document or agreement governing an entity or entity ownership interest;

(4) A power created on a form prescribed by a government or governmental subdivision, agency, or instrumentality for a governmental purpose;

(5) A power created as part of, or in connection with, an agreement establishing an attorney and client relationship;

(6) A power of attorney that states that it is not subject to this title;

(7) A power authorizing another to prepare, execute, deliver, submit, or file, on behalf of an entity or the governing body or management of an entity, a document or instrument with a government or governmental subdivision, agency, or instrumentality or with a third party;

(8) A power or other delegation of authority contained in a document or agreement governing or binding on an entity that authorizes a person to take action with respect to the entity; and

(9) A power with respect to an entity created in accordance with authorization provided by a federal or State statute that specifically contemplates creation of the power.

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